

# House File 2365 - Introduced

HOUSE FILE 2365  
BY COMMITTEE ON LABOR

(SUCCESSOR TO HSB 605)

## A BILL FOR

1 An Act relating to certain notifications issued by the  
2 department of workforce development concerning claims for  
3 unemployment benefits.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.6, subsection 2, Code 2020, is amended  
2 to read as follows:

3 2. *Initial determination.* A representative designated by  
4 the director shall promptly notify all interested parties to  
5 the claim of its filing, and the parties have ten days from  
6 the date of ~~mailing~~ issuing the notice of the filing of the  
7 claim ~~by ordinary mail to the last known address~~ to protest  
8 payment of benefits to the claimant. All interested parties  
9 shall select a format as specified by the department to receive  
10 such notifications. The representative shall promptly examine  
11 the claim and any protest, take the initiative to ascertain  
12 relevant information concerning the claim, and, on the basis of  
13 the facts found by the representative, shall determine whether  
14 or not the claim is valid, the week with respect to which  
15 benefits shall commence, the weekly benefit amount payable  
16 and its maximum duration, and whether any disqualification  
17 shall be imposed. The claimant has the burden of proving  
18 that the claimant meets the basic eligibility conditions of  
19 section 96.4. The employer has the burden of proving that the  
20 claimant is disqualified for benefits pursuant to [section 96.5](#),  
21 except as provided by [this subsection](#). The claimant has the  
22 initial burden to produce evidence showing that the claimant  
23 is not disqualified for benefits in cases involving section  
24 96.5, subsections 10 and 11, and has the burden of proving  
25 that a voluntary quit pursuant to [section 96.5, subsection 1](#),  
26 was for good cause attributable to the employer and that the  
27 claimant is not disqualified for benefits in cases involving  
28 section 96.5, subsection 1, paragraphs "a" through "h". Unless  
29 the claimant or other interested party, after notification or  
30 within ten calendar days after notification was ~~mailed to the~~  
31 ~~claimant's last known address~~ issued, files an appeal from the  
32 decision, the decision is final and benefits shall be paid or  
33 denied in accordance with the decision. If an administrative  
34 law judge affirms a decision of the representative, or the  
35 appeal board affirms a decision of the administrative law judge

1 allowing benefits, the benefits shall be paid regardless of  
2 any appeal which is thereafter taken, but if the decision is  
3 finally reversed, no employer's account shall be charged with  
4 benefits so paid and this relief from charges shall apply to  
5 both contributory and reimbursable employers, notwithstanding  
6 section 96.8, subsection 5.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with  
9 the explanation's substance by the members of the general assembly.

10 This bill strikes language providing that notifications of  
11 interested parties that a claim for unemployment benefits has  
12 been made be sent by ordinary mail. The bill instead provides  
13 that such notifications shall be in a format as specified  
14 by the department of workforce development selected by the  
15 parties.